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6 7	UNITED STA	ľF	S DISTRICT (COURT					
8	SOUTHERN DISTRICT OF CALIFORNIA								
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10	DONALD D. DIFFENBAUGH,		CASE No:	10-CV-054 V	W (BLM)				
11	Plaint	iff,	ORDER 1	DENYING	MOTION				
12	V.	,		ISS AS MO	ООТ				
13	v.		(DOC. NO	J. 3. ₎					
14	NATIONAL CITY MORTGAGE, al.,	, et							
15	,								
16 17	Defendar	its.							
18	On April 26, 2010, Plaintiff Donald Diffenbaugh ("Plaintiff") filed a First Amended								
19	Complaint ("FAC") as a matter of course under Fed.R.Civ.P. 15. (Doc. No. 5.) In light of								
20	the foregoing, the Court finds that the previously filed motion to dismiss is now moot, and								
21	is therefore, DENIED . (Doc. No. 3.)								
22									
23	IT IS SO ORDERED.								
24	DATED: A 120 2010								
25	DATED: April 30, 2010		(N)	0					
26	Hon. Thomas J. Whelan United States District Judge								
27			United	States Distr	ict Judge				
28									

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